



CHEMICALS GROUP

120 LONG RIDGE ROAD, P.O. BOX 1355, STAMFORD, CT 06904-1355

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Garry 127  
OCG 009  
(EPA)

RECEIVED

February 1, 1983

FEB 19 1983

CERTIFIED MAIL - RETURN RECEIPT REQUESTED  
WASTE RESPONSE & COMPLIANCE BRANCH

Mr. Joel G. Blumstein  
United States Environmental Protection Agency  
Office of Regional Counsel  
J.F.K. Federal Building, Room 2203  
Boston, MA 02203

Superfund Records Center

SITE: Picillo

Re: Picillo Waste Disposal  
Coventry, Rhode Island

BREAK: 11.9

OTHER: \_\_\_\_\_

RECEIVED

FEB 8 1983

REGION I  
WASTE MGMT. DIVISION

Dear Mr. Blumstein:

This is in reference to Mr. Merrill S. Hohman's January 20, 1983 letter to Mr. John Henske of the Olin Corporation and follows our telephone conversation of January 31 relative to the captioned matter.

As your records reflect, on August 13, 1982, I provided you, at your request, all the documents, data and information relating to Olin's chemical waste disposal in the State of Rhode Island. I believe a fair reading of the information we provided you would establish the following:

- (1) Olin did not ship, transfer or otherwise dispose of chemicals at the Picillo Waste Disposal site.
- (2) The containers discovered at the Picillo site, allegedly with the Olin label, were intact and did not evidence any leaking or otherwise indicate that the material therein had come in contact with the soil or ground water.
- (3) Olin only shipped a small number of containers to Rhode Island for disposal at the Capuano Brothers site in Cranston.

To date, we have not been provided any data or information, by the State of Rhode Island or the Environmental Protection Agency, to contradict any of the foregoing facts. Your position, as I understand it from our telephone conversation on January 31, is that the EPA is not at liberty to provide such data or information, although you did indicate to me that EPA did believe Olin is a "responsible party" within the meaning of Section 107 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA).

Olin, of course, as we have done with both the State of Rhode Island and your office, will continue to cooperate in providing any information and

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respond to appropriate requests that you may make; however, it is very difficult to respond substantively to your January 20 letter unless you provide us with the specific basis on which EPA believes Olin is a responsible party in this matter. We assume that EPA believes it has been able to independently confirm the disposal of Olin chemicals at this site with data and/or information other than what we have provided you. If so, we are herein requesting such data and information.

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Therefore, subject to the foregoing, we are herein formally expressing our willingness to discuss the above matters with you further and to that end, we would appreciate being advised of the date of any meetings between EPA, the State of Rhode Island and the parties your office believes to be responsible in this matter, as early as possible.

Finally, I am herein formally requesting from your office a list of all parties who EPA believes to be liable, under CERCLA, for money expended for response activities at the Piccillo site, including the investigation, planning, clean-up measures and enforcement, and the Cooperative Agreement between the State of Rhode Island and EPA.

Nothing contained herein should be construed as an admission by or binding on the Olin Corporation. The purpose of this letter is to formally respond to EPA's January 20 letter to Olin and to request additional data and information in order for us to further evaluate the Agency's contention that Olin generated chemicals, disposed of at the Piccillo site, which, in fact, will result in a release or threatend release of contaminants to the environment.

If you have any additional questions, please do not hesitate to contact me directly in New Haven (203-789-5330).

Sincerely,



Allyn Myles Carnam  
Counsel - Regulatory Affairs

AMC/deh

cc: Merrill S. Hohman, Director  
Waste Management Division  
United States Environmental Protection Agency  
John F. Kennedy Federal Building  
Boston, Massachusetts 02203

Dan Schatz, Esquire  
Department of the Attorney General  
72 Pine Street  
Providence, Rhode Island